

REMARKS

This responds to the Final Action mailed on December 9, 2009.

No claims are amended, claims 42 and 46 are canceled, and no claims are added; as a result, claims 1-3, 6-12, 15, 18, 20, 24-26, 30-36, 40-41 and 47-48 are pending in this application.

Allowable Subject Matter

Claims 1-3, 6-12, 15, 18, 20, 24-26, 30-36, 40, 41 and 47-48 were allowed. The Examiner is sincerely thanked for his careful examination of the present application and for making time for the undersigned attorney for the one or more Examiner Interviews.

Claims 42 and 46 are herein cancelled without prejudice to the filing of any other continuation, divisional or continuation-in-part application. In cancelling the foregoing claims, the undersigned submits that claims 42 and 46 are cancelled solely in order to expedite the allowance of subject matter that the Examiner has indicated as allowable, and does not constitute an admission that any of the claims are unpatentable in view the prior art of record.

Reservation of Rights

In the interest of clarity and brevity, Applicant may not have addressed every assertion made in the Office Action. Applicant's silence regarding any such assertion does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any

cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney at (206) 219-0554 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date

2/9/2010

By

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 9, 2010.

Name

Amy Moriarty

Signature

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